THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

W.P.No.24143 of 2007

Dated:15.11.2007

Between:
M. Ganesh.

..Petitioner.

and

Greater Hyderabad Municipal Corporation, rep. by its Chief Commissioner, Tank Bund, Hyderabad and another.

..Respondents.

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

W.P.No.24143 of 2007

ORDER:

This writ petition is filed for a writ of mandamus for declaring the action of respondents in refusing to receive and process the petitioner's application for building permission on Plot Nos. 11-1-419 and 420, Bhoiguda Kaman, Aghapura, Hyderabad, as illegal and arbitrary.

Heard Sri Srinivasa Rao Velivela, learned counsel for the petitioner and Sri R. Ramachander Rao, learned Standing Counsel for the respondents.

Both the learned counsel agreed that the issue raised in this writ petition is covered by the judgment of this Court in **HYDERABAD POTTERIES PRIVATE LIMITED v. COLLECTOR, HYDERABAD DISTRICT**[1] wherein it was held that the Municipal Corporation of Hyderabad cannot refuse to receive and sanction the building permission merely on the ground that the owner has failed to produce No-objection certificate from the revenue authorities and the TSLR certificate.

In view of the same, the Writ Petition is disposed of in terms of the said judgment. The respondents herein are directed to

receive the application of the petitioner for building permission in respect of the premises bearing No.11-1-419 & 420, situated at Bhoiguda Kaman, Aghapura, Hyderabad and consider the same without insisting on the 'No Objection and TSLR certificates' and the respondents shall examine the application of the petitioner in accordance with the provisions of the Hyderabad Municipal Corporation Act, 1955 and in the light of the dicta laid down by this Court in Hyderabad Potteries Private Ltd., (1 supra). No costs.

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C.V.NAGARJUNA REDDY, J

Dated:15.11.2007

sj

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[1] 2001(3) ALD 600